**Section 350.130 Postponement of Fee Payment**

a) Postponement in Fee generating/Contingent Fee Cases.

The Director of the Legal Advocacy Service is authorized to postpone payment of fees for legal services in accordance with the sliding fee schedule set forth in Section 350.120 of this Part in cases in which an attorney's fee may be awarded or in which a contingent fee agreement can be negotiated. The Director shall consider

1) the need of the client for legal services in the client's region of the State, with particular consideration to the client's special difficulties of access to legal services,

2) Legal Advocacy Service staff resources and expertise,

3) the availability of other sources of legal assistance in the particular category of cases or matters,

4) the relative importance of the client's legal problems compared to other clients,

5) the general effect of the resolution of the client's case on other eligible clients,

6) the susceptibility of the client's problem to solution through legal processes,

7) whether legal efforts will complement other efforts to solve the client's problem.

b) Postponement in OASDI/SSI cases

Payment of fees for legal services shall be postponed in claims involving Old Age, Survivors and Disability Insurance (OASDI) and Supplemental Security Income (SSI). Attorney fees shall be based on the award allowed by the forum before which the Legal Advocacy Service rendered services on behalf of a client, and in no event shall a client be charged a fee which is in excess of such an award where it is prohibited by law.